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*Attorney for Plaintiff and Counter-Defendant  
Moog Inc.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC. ROBERT ALIN  
PILKINGTON, MISOOK KIM, and  
DOES NOS. 1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR

**PLAINTIFF AND COUNTER-  
DEFENDANT MOOG INC.'S  
APPLICATION FOR LEAVE TO  
FILE UNDER SEAL DESIGNATED  
MATERIALS FROM ITS REPLY IN  
SUPPORT OF MOTION TO  
DISMISS DEFENDANT AND  
COUNTERCLAIMANT SKYRYSE  
INC.'S COUNTERCLAIMS**

1 SKYRYSE, INC.,  
2 Counterclaimant,  
3 vs.  
4 MOOG INC.,  
5 Counter-Defendant.

Hon. George H. Wu

Complaint Filed: March 7, 2022

Counterclaims Filed: January 30, 2023

1           **TO THE ABOVE CAPTIONED COURT, AND TO ALL PARTIES**  
2           **AND THEIR ATTORNEYS OF RECORD:**

3           Pursuant to Local Rule 79-5 *et seq.*, Plaintiff and Counter-Defendant Moog  
4 Inc. (“Moog”) hereby submits this application for an order permitting it to file under  
5 seal certain excerpts and documents (the “Designated Materials”) from Moog’s  
6 Reply (the “Reply”) in Support of its Motion to Dismiss Defendant and  
7 Counterclaimant Skyryse Inc.’s (“Skyryse”) Counterclaims (“Motion to Dismiss”).

8           Moog submits that compelling reasons exist to permit the Designated  
9 Materials to be filed under seal. The Designated Materials include excerpts from  
10 Moog’s Reply that reference, describe or cite documents that have been identified as  
11 Protected Material pursuant to the Protective Order entered in this action on May 6,  
12 2022 (the “Protective Order”) (Dkt. 89). The material that Moog requests to file  
13 under seal is the type of information that Moog does not make public, does not share  
14 with competitors, and keeps confidential in its business. If disclosed publicly, it  
15 could be used by Moog’s competitors to secure unfair competitive advantage and  
16 cause irreparable business harm. Specifically, Moog seeks to file the following  
17 Designated Materials under seal: (1) highlighted portions of Moog’s Memorandum  
18 of Points and Authorities In Support of its Reply at pages 12:5, 7-8, 11-22; 15:18-  
19 21, 23-24. This Court already granted Moog’s prior application that these excerpts  
20 and the underlying documents be filed under seal in connection with Moog’s Motion  
21 to Dismiss. (Dkts. 358, 362). Accordingly, pursuant to paragraph 12.1 of the  
22 Protective Order, Moog seeks to provisionally lodge these documents under seal  
23 until such time as Skyryse withdraws its confidentiality designations or the Court  
24 rules on a forthcoming application from Skyryse to justify that these documents, or  
25 portions of thereof, remain under seal.

26           Moog also seeks to provisionally lodge under seal the following Designated  
27 Materials, which refer to, describe, or quote documents that Skyryse has identified  
28 as Protected Material under the Protective Order (as set forth in its prior Application

1 to Seal at Dkt. 395), or which Moog believes that Skyryse may consider to be  
2 Skyryse's own confidential information: highlighted portions of Moog's Reply at  
3 pages 15:2, 25-26; 16:11; 17:13; 18:21; 27:21-22. This Court already granted  
4 Skyryse's prior application that these excerpts and the underlying documents be  
5 filed under seal in connection with Skyryse's Opposition to Moog's Motion to  
6 Dismiss. (Dkts. 395, 408).

7 This application is further based upon the accompanying Declaration of  
8 Kazim Naqvi in Support of this Application; any pleadings, files, and records in this  
9 action; and any further evidence or argument as this Court may consider.

10 On March 27, 2023, Moog's counsel conferred with Skyryse's counsel  
11 regarding the Skyryse Designated Materials referenced above, and whether  
12 Skyryse's position has changed with respect to any such materials that Skyryse's  
13 previously moved to have filed under seal. On March 28, 2023, Skyryse's counsel  
14 informed Moog's counsel that its sealing positions had not changed. Accordingly,  
15 Moog will conditionally lodge under seal all quotes or references to Skyryse  
16 Designated Materials.

17  
18 Dated: March 30, 2023

19 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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21 By /s/ Kazim A. Naqvi  
22 Kazim A. Naqvi

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24 Attorney for Plaintiff and Counter-Defendant  
25 MOOG INC.  
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